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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 12-00118 YGR
)	
Plaintiff,)	STIPULATED REQUEST TO VACATE
)	STATUS HEARING, SET MOTIONS
v.)	SCHEDULE AND HEARING, AND
)	EXCLUDE TIME UNDER THE SPEEDY
VONTINO ALEXANDER,)	TRIAL ACT AND ORDER
)	
Defendant.)	
)	
)	
)	

The above-captioned matter is currently set for a change of plea or motions setting on October 25, 2012. The parties have conferred and the defendant plans to file a motion to suppress the search of the apartment where the gun and marijuana were found, from which defendant's charges arise. The parties propose herein the following briefing and motions hearing schedule:

Defense Motion Deadline	November 8, 2012
Government Response Deadline	November 23, 2012
Defense Reply Deadline	November 30, 2012
Motions Hearing	December 6, 2012, at 3:00 p.m.

STIP. REQ. TO VACATE HEARING, SET MOTIONS
HEARING, AND EXCLUDE TIME
No. CR 12- 00118 YGR

The parties further stipulate and request an exclusion of time under the Speedy Trial Act between October 25, 2012 and November 8, 2012, the defendant's motion deadline. Time is appropriately excluded under the Speedy Trial Act between October 25, 2012, and November 8, 2012, for effective preparation of defense counsel while the defense conducts necessary legal research related to its motions filing. 18 U.S.C. § 3161(h)(7)(B)(iv).

Respectfully submitted,

Date: October 24, 2012

/s/ Brigid S. Martin
Brigid S. Martin
Assistant United States Attorney

Date: October 24, 2012

/s/ Jerome Matthews
Jerome Matthews
Assistant Federal Public Defender
Counsel for Vontino Alexander

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION
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13 UNITED STATES OF AMERICA,) No. CR 12-00118 YGR
14 Plaintiff,)
15 v.) ORDER VACATING HEARING,
16 VONTINO ALEXANDER,) SETTING MOTIONS SCHEDULE, AND
17 Defendant.) EXCLUDING TIME UNDER THE
18) SPEEDY TRIAL ACT
19)

20 The parties jointly requested that the October 25, 2012 hearing in the above-captioned
21 case be vacated and that the Court set a motions schedule as proposed by the parties. The parties
22 also requested that time be excluded under the Speedy Trial Act between October 25, 2012, and
23 November 8, 2012, for defense to conduct legal research to prepare its motions. The Court grants
24 the parties' requests and therefore,

25 **IT IS HEREBY ORDERED** that the October 25, 2012 hearing is VACATED, and the
26 parties shall comply with the following briefing schedule:

27 Defense Motion Deadline November 8, 2012

28 Government Response Deadline November 23, 2012

STIP. REQ. TO VACATE HEARING, SET MOTIONS
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1 Defense Reply Deadline


November 30, 2012

2 Motions Hearing

December 6, 2012, at 3:00 p.m.

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4 **IT IS FURTHER ORDERED** that based upon the representation of counsel and for
5 good cause shown, the Court finds that failing to exclude the time between October 25, 2012,
6 and November 8, 2012, would unreasonably deny defense counsel the reasonable time necessary
7 for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §
8 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time
9 between October 25, 2012, and November 8, 2012, from computation under the Speedy Trial Act
10 outweigh the best interests of the public and the defendant in a speedy trial. Therefore, IT IS
11 HEREBY ORDERED that the time between October 25, 2012, and November 8, 2012, shall be
12 excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).
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15 DATED: October 24, 2012


16 HON. YVONNE GONZALEZ ROGERS
17 United States District Judge
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STIP. REQ. TO VACATE HEARING, SET MOTIONS
HEARING, AND EXCLUDE TIME
No. CR 12- 00118 YGR